(45)

HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR

SINGLE BENCH : HON'BLE SHRI S.R. NAYAK, C.J.

WRIT PETITION NO. 1136 OF 2005

PETITIONER **Defendant**	Kashi Ram Sharma, aged about 50 years, S/o Shivnarain Sharma, occupation private service, resident of Kotra road, in opposite of Chuna Bhartha, Raigarh, Tahsil and District Raigarh (CG)
versus	
RESPONDENTS **Plaintiff**	Vinod Sharma, aged about 38 years, S/o Dhanraj Sharma, occupation, private service, resident of House No. 2, Seth Kirodimal Colony, Raigarh, Tahsil and District Raigarh (C.G.)

Present : Mr S.K. Tiwari, learned counsel for the petitioner.

ORAL ORDER
(Passed on 16th January, 2006)

The ground urged in this writ petition could be a ground of attack of provided under Section 105 of the C.P.C. If ultimately the decree that may be passed by the trial Court goes against the petitioner-defendant. In that view of the matter, I am not inclined to step-in under Article 227 of the Constitution of India. The writ petition is, therefore, dismissed. No costs.

Sd/-
Chief Justice